

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
FEB 13 2014
CLERK'S OFFICE
DETROIT

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UNITED STATES OF AMERICA,
Plaintiff

vs.

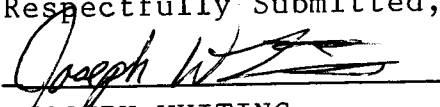
Criminal No. 06-20465
Honorable Nancy G. Edmonds

JOSEPH WHITING,
Defendant

MOTION FOR TRANSCRIPTS OF CO-DEFENDANT'S McDONALD AND VIRAMONTEZ

COMES NOW Defendant Whiting, Pro Se, and asks this Honorable Court to order the production of transcripts pertaining to the above-mentioned co-defendants any and all transcripts of grand jury testimony, arrest/detention, arraignment, plea agreements, sentencing, 302 (debriefing), threat assessment, phone and tape recording. The defendant requests this Honorable Court to grant this motion so that the defendant may prepare for future litigation in the above-mentioned matter, or in the alternative, defendant would ask this court for leave.

Respectfully Submitted,


JOSEPH WHITING

See: Statement of Authority in Support of

In Britt v. North Carolina, 404 U.S. 226 (1971), the U.S. Supreme Court held that as a matter of equal protection principles, that a state must supply indigent defendants with the basic tools "needed for an effective defense or [direct] appeal.

More recently in Kennedy v. Lockyer, 379 F.3d 1041, 75 CrL 267 (9th Cir. 2004), the federal Court of Appeals that takes cases from Hawaii, granted habeas corpus relief to a petitioner to whom a state court had denied a transcript of the opening statements and closing arguments of a prior trial. Furthermore, The Hawaii Supreme Court decided October 16. (State v. Scott, Hawaii No. SCWC-10-0000037, 10/16/13). An indigent defendant does not have to justify his request for a state-paid transcript or DVD of a co-defendant's trial when the charges arise out of the same events and the witnesses will be the same.

Date: 2 / 6 / 2014

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Joseph Whiting", is written over a horizontal line.

JOSEPH WHITING
#43515-039
F.C.I.-Memphis
P.O. BOX 34550
Memphis, TN 38184

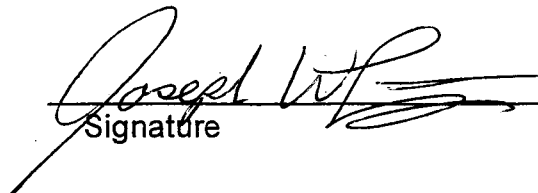
PROOF OF SERVICE

I certify that on 2/6/14 (date) I mailed a copy of this brief and all attachments via first class mail to the following parties at the addresses listed below:

PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS

In addition to the above proof of service all litigants who are currently institutionalized or incarcerated should include the following statement on all documents to be filed with this Court:

I certify that this document was given to prison officials on 2/6/14 (date) for forwarding to the Court [REDACTED]. I certify under penalty of perjury that the foregoing is true and correct. 28 U.S.C. §1746.


Signature

Dated: 2/6/14